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Attorney for Plaintiffs

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF ALASKA AT FAIRBANKS**

ROBERT PROBERT; LORETTA E.  
PROBERT; GENE GRISSOM;  
SANDRA GRISSOM; JOHN GRIMES;  
DONNA GRIMES; KENNETH  
MCDANIELS; LEONA MCDANIELS;  
ERIC CLONINGER; DEBRA  
CLONINGER; and LORETTA REES,

Plaintiffs,

vs.

FAMILY CENTERED SERVICES of  
ALASKA, INC.; JOHN W. REGITANO;  
KATHY CANNONE; SUSZAN DALE;  
LONNIE HOVDE; DEBORAH L.  
COXON, and ADDITIONAL DOES I to  
X, Managerial Employers, Jointly Liable,

Defendants.

**Case No. 4:07-CV-00030 RRB**

**OPPOSITION TO MOTION TO DISMISS AT DOCKET 196**

Defendant FCSA filed a Motion to Dismiss before expiration of the time the Plaintiffs have to file their Petition for Writ of Certiorari with the Supreme Court. That date would approximately be November 18, 2011.

It seems to Plaintiffs' Counsel that this Court is without jurisdiction to decide this

Motion and Plaintiffs therefore have filed a Motion to Strike or Stay of even date.

Indeed upon exhaustion of appellate remedies, Plaintiffs may voluntarily withdraw their claim.

Principals of judicial economy in any event would dictate taking no action on this matter pending exhaustion of potential appellate remedies by Plaintiffs.

If the Court chooses not to do the foregoing, Plaintiffs then would like adequate opportunity to further respond to Defendant FCSA's Motion.

RESPECTFULLY SUBMITTED this 7th day of September, 2011, at Fairbanks, Alaska.

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**CERTIFICATE OF SERVICE**

This is to certify that a copy of the foregoing has been served electronically by ECF to the following attorney(s) and/or parties of the record:

**John Foster Wallace**

**Richard D. Monkman**

Dated: September 7, 2011

By: s/ Camille De Santiago  
Law Office of Kenneth L. Covell